Global LGBTI rights

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BOOK REVIEW

Global LGBTI Rights: Between Homonationalism, Homoromanticism, and Homocapitalism

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Out of Time: The Queer Politics of Postcoloniality, Rahul Rao, Oxford University Press, 2020

I teach a course in health and human rights at the University of Edinburgh. LGBTI rights are an important focus within the course. As highlighted by the Global Commission on HIV and the Law and the Lancet Commission on the Legal Determinants of Health, punitive laws, discriminatory and brutal policing, and denial of access to justice are fueling the HIV epidemic in marginalized, criminalized groups. But after reading Rahul Rao's *Out of Time: The Queer Politics of Postcoloniality*, my teaching will never be the same. Two slides from my PowerPoint deck now strike me as particularly naïve. In the first, I show a map from ILGA—the International Lesbian, Gay, Bisexual, Trans and Intersex Association—depicting sexual orientation laws in the world. The map is color coded, with states that criminalize same-sex relations with death sentences or imprisonment depicted in shades of red, states that have decriminalized or never criminalized such relations shown in amber, and states that recognize same-sex marriages, partnerships, and adoption or parenting rights depicted in green. In the next slide, titled "sodomy laws and colonialism," I show a long list of countries, former British colonies, with anti-sodomy laws criminalizing "unnatural" sexual acts under section 377 of the penal code or related formulations.

My message was to highlight the prevalence of homophobic laws but also, mindful of critiques of human rights discourse functioning globally as a discourse of cultural superiority, to stress that these do not reflect the inherent preferences of those countries but were first laid down by Western colonial governments. However, Rao's book calls out the oversimplicity of this message, arguing that we need to be critical not just of the consequences of treating LGBTI rights as a barometer of civilizational superiority—"homonationalism," as framed by Jasbir Puar—but also of the perils of what Rao calls "homoromanticism": the treatment of pre-colonial worlds as warmly inclusive of diverse sexual orientations and gender identifications, and the reluctance to apprehend postcolonial elites for their own role in cementing homophobic institutional frameworks.[1]

Rao's argument begins with these ILGA maps. As he observes, the maps mobilize the competitive spirit of international relations, "applauding states that move in the direction of progress and shaming those that do not" (p. 38). However, "where value disagreements are at stake—when one state's 'progress' is another's 'moral decay'—the motivational potential of such advocacy is less straightforward" (p. 38). Global advocacy efforts to entreat states toward progress in LGBTI rights may backfire, causing states to enact anti-homosexuality laws, particularly when top-down global queer activism has raised the anti-imperialist hackles of a conservative government, as in the case of Uganda, the focus of chapters 2, 3, and 5. In 2009, an anti-homosexuality bill was introduced in Uganda's Parliament, adding to the existing criminalization of

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homosexuality by creating a range of new offenses related to the practice and "promotion" of homosexuality out of a desire to protect the traditional family and culture. The bill proposed the new crime of "aggravated homosexuality," carrying the death penalty. Parliamentarians presented homosexuality as un-African and imported. Advocacy efforts rejoined that the impetus for strengthening anti-queer laws originally imposed by British colonial authorities came from US evangelical Christians. Thus, homophobia was presented as imported, "romanticis[ing] the indigenous precolonial as a spacetime of unmitigated tolerance" (p. 45) while leaving unexplained the embrace of colonial laws and promulgation of new laws by the postcolonial elite.

Chapter 2 addresses this latter problematic through a detailed dissection of the transnational actors and processes implicated in the Ugandan anti-homosexuality bill. Rao traces the recent politicization of homosexuality in Uganda to the late 1990s, a time when the Anglican Church was rocked by a series of ordinations of non-celibate homosexuals as priests and bishops and turned to the Anglican Communion in the Global South for a more conservative support base. Yet Ugandan clergy were no mere pawns in a displaced Western "culture war" (p. 45). Indeed, Ugandan clergy explicitly refused the imperial attitude of Western bishops, rejecting homosexuality as their own, independent, reasoned theological conclusion. As Rao argues, recognition of the position that Ugandan elites could be simultaneously decolonial *and* homophobic "demands a more complex moral reaction than has typically been forthcoming from either liberal Episcopalians or their secular LGBTI allies" (p. 69).

Chapter 3 returns to the romanticization of the indigenous precolonial. It has been tempting for queer activists to rejoin claims that homosexuality is a Western import by scouring the archive for a usable history of precolonial same-sex relations. Rao suggests that such efforts are hamstrung not only by anachronism—the impossibility of reading back our global categories of gender and sexuality into the past—but by an "incuriosity about the possibility that non-normative desire might also have been stigmatized in the precolonial past, even if in ways that were distinct and less institutionalized than those introduced by colonial modernity" (p. 19). Chapter 3 digs deeply into the historical figure of Mwanga II, the last precolonial ruler of the Buganda kingdom, who according to the colonial archives engaged in "sodomy" with his courtiers. Between 1885 and 1886, some of these courtiers converted to Christianity and refused to indulge in Mwanga's "unnatural" desires, angering Mwanga so much that he executed them. The "Uganda martyrs," as they came to be known, were later canonized by the Catholic Church. This gave rise to an annual pilgrimage, in the outskirts of Kampala, to the site of their execution. The sheer visibility of this founding myth of Christianity in Uganda is intriguing: when a precolonial king's same-sex intimacies and proclivities are so public, how can anyone claim that same-sex intimacy is alien to Ugandan culture? Yet the archive does not secure homophobia as a Western import. Indeed, some Ugandan historians claim that homosexuality was abhorred by the Baganda, although this is impossible to untangle from their efforts to rehabilitate Mwanga as an anticolonial figure, skepticism of the colonial archive, and denial of any non-normativity.

Chapter 4 explores British LGBTI activists' justification of their leading role in the struggle to decriminalize homosexuality in the Global South as a form of atonement for the colonial-era sodomy laws. For Rao, this deployment is more than a little disingenuous, for British elites have been very willing to offer atonement for the homophobic laws laid down by earlier colonial administrations but have not been willing to do so, for example, for slavery. Further, the modes through which British actors have sought to discharge this obligation to undo the legacies of colonialism has exposed them to charges of neo-colonialism. Uganda is again a germane example, as the country's aid dependency made it a particular target for international LGBTI advocacy. When the anti-homosexuality bill was passed into law in 2013, condemnation from donor states, Bretton Woods institutions, and the United Nations system was immediate. A number

of donors signaled their intention to delay, redirect, or cancel aid, and the World Bank followed through with the deferral of a US$90 million loan to Uganda. In Chapter 5, Rao terms this "homocapitalism": the World Bank's endorsement of rosy futures of economic growth and productivity for states that embrace LGBT rights. Arguably, this may be more significant than homonationalism in certain contexts, the weapon of choice wielded by a global LGBTI liberalism, succeeding to convince through the consensual carrot of neoliberal reason where the stick of chastisement has raised certain anti-imperialist hackles. But clearly, there are deep dangers of collusion here, absolving the World Bank and other agents of global capital of "complicity in the production of the material conditions in which homophobic moral panics thrive" (p. 140). From now on, I will be teaching Rao's political economic analysis of homophobia, which allows us to "account for social antipathy towards figures read as queer, without lapsing into orientalise accounts of a timeless and irredeemable 'African' homophobia" (p. 162). It also proposes a different response to homophobia than that focused on the human rights tactic of chastisement: a fight for global economic justice, to alleviate the precarity that has fed moral panics.

The necessity of queer investment in anticapitalist struggles is developed in chapter 6 through an excavation of the social mobilization that culminated in the 2014 decision by the Indian Supreme Court in *National Legal Services Authority (NALSA) v. Union of India*. This ruling recognized trans persons as a category of "backward" citizens, a category historically understood principally in terms of low caste, who are entitled to constitutional guarantees of affirmative action. Whereas homocapitalism seeks upward mobility by producing queer people as model capitalist subjects, "the Indian trans movement's desire for backward caste status makes common cause with those relegated to the very bottom of the social hierarchy" (p. 175). Rao shows us that global LGBTI advocacy must mobilize rights-based approaches in less top-down and self-serving ways and be more attentive to the complexly negotiated, radical politics of local queer activist mobilizations such as those of India's trans communities, with their commitment to "the annihilation of all forms of hierarchy" (p. 211).

References

1. J. Puar, *Terrorist assemblages: Homonationalism in queer times*. Durham, NC: Duke University Press, 2007.